

REMARKS

In the Office Action, claim 1 was objected to because of informalities. Claims 1-4 were rejected under 35 U.S.C. §103(a) as being unpatentable over Oliva (WO 92/11899) in view of Busson et al. (FR 2745690) and further in view of Stephens, Jr. et al. (U.S. Pat. No. 3,440,183). Claims 1-5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Larkin (U.S. Pat. No. 6,750,164) in view of Stephens, Jr. et al.

In response to the informalities noted by the Examiner, claims 6-10 have been withdrawn and claims 1-5 have been amended. It is respectfully submitted that the application is now in condition for allowance.

The Examiner rejected claim 1 as being unpatentable over WO 92/11899 in view of FR 2745690 and Stephens or Larkin in view of Stephens.

Stephens is used as a prior art document because it teaches improved aroma in perfumes suitable for use in industrial products such as textiles; in particular Stephens teaches the use of oak moss in a solution used to treat a textile to provide pleasant and lasting aroma.

In the pending application, the use of oak moss does not provide only aroma in the textile but it improves the quality of the product.

In fact, in lines 23-29 of page 3 of the specification, it is disclosed that the solution 5 comprising oak moss at the liquid state is obtained from oak moss and Propolis (nectar of bees) by addition of water.

The solution is sprayed on the mesh for creating an antibacterial ability in the environment. This feature is due to the presence in the solution of Propolis; the antibacterial ability of Propolis is generally known. Some investigations and experimentations have been effectuated for demonstrating the antibacterial ability of Propolis and they have allowed to verify the ability of Propolis of inhibiting the growth of bacterial Gram+ as the *Mycobacterium tuberculosis*, the *Proteus vulgaris*, the *Bacillus alvei*, the *Bacillus larvae*, and so on.

The employ of the oak moss with Propolis has allowed to improve the quality of the product. Both the oak moss and Propolis have the capacity of being bio-indicators of natural radiation because both adsorb a part of natural radiation. Therefore, the liquid solution comprising oak moss and Propolis, which are bio-accumulators, allows to protect the user from natural radiations because it is adapted to adsorb a part of this radiation. The use of oak moss and Propolis as bio-accumulators is indicated in some of the following documents: OECD "Towards sustainable development-environmental indicators", 1998; European Environment Agency- EEA- "Guidelines for data collection for the Dobris+3 Report", 1996§;

European Communities “indicators of sustainable development”, 1997; European Environmental Agency “EU State of the Environment Report Guidelines for data collection and processing final draft”, 1998.

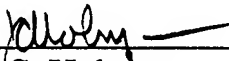
Therefore, the use of oak moss in the pending application is different from the use of the same products in prior art documents.

Based on the foregoing amendments and remarks, it is respectfully submitted that the claims in the present application, as they now stand, patentably distinguish over the references cited and applied by the Examiner and are, therefore, in condition for allowance. A Notice of Allowance is in order, and such favorable action and reconsideration are respectfully requested.

However, if after reviewing the above amendments and remarks, the Examiner has any questions or comments, he is cordially invited to contact the undersigned attorneys.

Respectfully submitted,

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